

PATENT AND TRADEMARK OFFICE

BEFORE THE HONORABLE BOARD OF PATENT APPEALS AND INTERFERENCES

In re the Application of

On Appeal from Group: 2855

Shuichi ICHIKAWA et al.

Application No.: 10/505,334

Examiner: G. VERBITSKY

Filed: August 23, 2004

Docket No.: 120868

For: METHOD OF MEASURING THERMAL CONDUCTIVITY OF HONEYCOMB
STRUCTURE

**RESPONSE TO NON-COMPLIANT APPEAL BRIEF
AND SUBMISSION OF CORRECTED APPEAL BRIEF**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the December 17, 2007 Notice of Non-Compliant Appeal Brief (copy attached), Applicants attach a corrected "STATUS OF THE CLAIMS" section for the Brief on Appeal filed on December 5, 2007, which has been corrected to identify that claims 1-12, 14, 15, 19-21 and 23 are canceled. No other changes are made to the Brief on Appeal.

No fees are due for this filing in response to the Notice of Non-Compliant Appeal Brief.

The Commissioner is hereby authorized to charge any additional fee (or credit any overpayment) associated with this communication to Deposit Account No. 15-0461.

Respectfully submitted,

Robert M. Oliff

James A. Oliff
Registration No. 27,075

Robert M. Jackson
Registration No. 46,796

JAO:RMJ/jnm

Attachments:

Corrected Status of the Claims
Notice of Non-Compliant Appeal Brief

Date: December 21, 2007
OLIFF & BERRIDGE, PLC
P.O. Box 320850
Alexandria, Virginia 22320-4850
Telephone: (703) 836-6400

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| DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461 |
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III. STATUS OF CLAIMS

Claims 13, 16-18, 22, 24 and 25 stand rejected and are on appeal.

Claims 13, 16-18, 22, 24 and 25 are pending.

Claims 1-12, 14, 15, 19-21 and 23 are canceled.

No claims are allowed.



UNITED STATES PATENT AND TRADEMARK OFFICE

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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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10/505,334

08/23/2004

Shuichi Ichikawa

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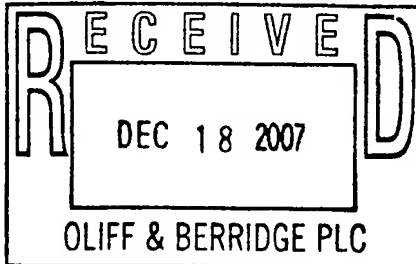
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| EXAMINER |
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DATE MAILED: 12/17/2007

Please find below and/or attached an Office communication concerning this application or proceeding.

DUE DATE

JAN 17 2008

DOCKETED
By JUNE on 12/18/2007
and
By Fmp on 12/18/2007

**Notification of Non-Compliant Appeal Brief
(37 CFR 41.37)**

Application No.

10/505,334

Applicant(s)

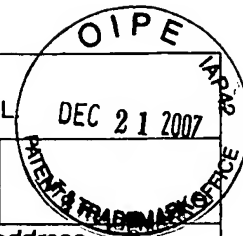
ICHIKAWA ET AL

Examiner

Gail Verbitsky

Art Unit

2855



--The MAILING DATE of this communication appears on the cover sheet with the correspondence address--


The Appeal Brief filed on 05 December 2007 is defective for failure to comply with one or more provisions of 37 CFR 41.37.

To avoid dismissal of the appeal, applicant must file an amended brief or other appropriate correction (see MPEP 1205.03) within **ONE MONTH or THIRTY DAYS** from the mailing date of this Notification, whichever is longer.

EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136.

1. ☐ The brief does not contain the items required under 37 CFR 41.37(c), or the items are not under the proper heading or in the proper order.
2. ☒ The brief does not contain a statement of the status of all claims, (e.g., rejected, allowed, withdrawn, objected to, canceled), or does not identify the appealed claims (37 CFR 41.37(c)(1)(iii)).
3. ☐ At least one amendment has been filed subsequent to the final rejection, and the brief does not contain a statement of the status of each such amendment (37 CFR 41.37(c)(1)(iv)).
4. ☐ (a) The brief does not contain a concise explanation of the subject matter defined in each of the independent claims involved in the appeal, referring to the specification by page and line number and to the drawings, if any, by reference characters; and/or (b) the brief fails to: (1) identify, for each independent claim involved in the appeal and for each dependent claim argued separately, every means plus function and step plus function under 35 U.S.C. 112, sixth paragraph, and/or (2) set forth the structure, material, or acts described in the specification as corresponding to each claimed function with reference to the specification by page and line number, and to the drawings, if any, by reference characters (37 CFR 41.37(c)(1)(v)).
5. ☐ The brief does not contain a concise statement of each ground of rejection presented for review (37 CFR 41.37(c)(1)(vi)).
6. ☐ The brief does not present an argument under a separate heading for each ground of rejection on appeal (37 CFR 41.37(c)(1)(vii)).
7. ☐ The brief does not contain a correct copy of the appealed claims as an appendix thereto (37 CFR 41.37(c)(1)(viii)).
8. ☐ The brief does not contain copies of the evidence submitted under 37 CFR 1.130, 1.131, or 1.132 or of any other evidence entered by the examiner **and relied upon by appellant in the appeal**, along with a statement setting forth where in the record that evidence was entered by the examiner, as an appendix thereto (37 CFR 41.37(c)(1)(ix)).
9. ☐ The brief does not contain copies of the decisions rendered by a court or the Board in the proceeding identified in the Related Appeals and Interferences section of the brief as an appendix thereto (37 CFR 41.37(c)(1)(x)).
10. ☒ Other (including any explanation in support of the above items):

The brief does not contain a statement of the status of all claims (cancelled). An entire brief is not required just the defective section may be submitted.


BRIDGET C. MONROE
PATENT APPEAL CENTER SPECIALIST